

BEFORE THE
Federal Communications Commission
WASHINGTON, D. C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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In re Matter of)
)
Amendment of Section 73.202(b),) File No. RM-_____
Table of FM Allotments)
(Annville, Kentucky)
Mount Vernon, Kentucky)
West Liberty, Kentucky and)
Manchester, Kentucky)

To: Chief. Allocations Branch

JOINT PETITION FOR RULEMAKING

Vernon R. Baldwin, Inc. ("VRBI"), licensee of FM Broadcast Station WWLT, Manchester, Kentucky. Morgan County Industries, Inc., licensee of FM Broadcast Station WLKS-FM. West Liberty, Kentucky ("MCI") and Vernon R. Baldwin, the original petitioner for the allocation of Channel 244A to Annville, Kentucky, hereby request, pursuant to Section 1.420(g) of the Rules, that the Commission institute a rulemaking proceeding that proposes the following amendments to the 'Table of FM Allotments, Section 73.202(b) of the Commission's Rules:

CITY OF LICENSE	PRESENT ALLOCATION	PROPOSED ALLOCATION
Annville, Kentucky	244A	236A
Mount Vernon, Kentucky	275A (3 kw)	276A
West Liberty, Kentucky	275A	275C3
Manchester, Kentucky	276A (3 kw). 289C3	244A, 289C3

In support of this request, the following is stated:

1. Attached hereto is the Technical Exhibit of Bromo Communications, Inc., which contains the required channel studies confirming that the proposed allocations can be made consistent with the Commission's mileage separation rules.

2. The proposed allocation changes will result in significant public interest benefits. First, it will permit the upgrade of Station WLKS-FM, West Liberty, Kentucky from a Class A station to a Class C3 station. The upgrade would increase the persons within its 60 dbu signal by 34,010 persons (from a coverage of 47,789 persons to 81,799 persons). Second, the upgrade for WWLT, Manchester, Kentucky from a 3 kilowatt Class A to a full 6 kilowatt Class A will increase the persons within its 60 dbu contour by 12,409 persons (from a coverage of 53,139 persons to 65,548 persons). To accomplish these changes the vacant Class A allocations at Annville, Kentucky and Mount Vernon, Kentucky would have to be amended. However, each community would continue to be allocated a local broadcast outlet. Additionally, the allocation at Mount Vernon would be upgraded from a 3 kilowatt Class A to a full 6 kilowatt Class A.

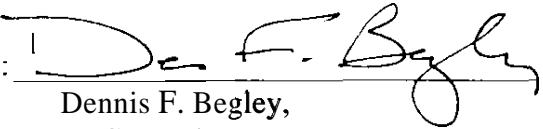
3. If Channel 244A is substituted for Channel 276A at Manchester, Kentucky, VRBI will promptly apply for and construct the new FM facility. Additionally, if Channel 275A is upgraded to Channel 275C3 at West Liberty, Kentucky, MCI will promptly apply for and construct the new FM facility. Finally, Vernon R. Baldwin hereby reaffirms his commitment to apply for, and if granted a construction permit to promptly construct, a station on Channel 236A if substituted at Annville, Kentucky.

4. In sum, the proposal will result in the substitution of a Class C3 and three (3) full Class As for two (2) 3 kw Class As and two (2) full Class **As**. The proposal would also provide additional

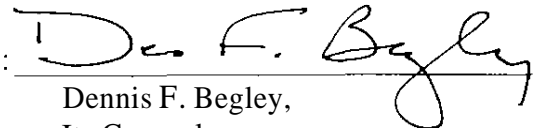
service to 46,419 persons from existing facilities. As such, significant public interest benefits would accrue from adoption of this proposal.

WHEREFORE, In light of the foregoing, Vernon R. Baldwin, Inc., Morgan County Industries, Inc. and Vernon R. Baldwin respectfully request that the FM Table of Allotments be amended as noted above.

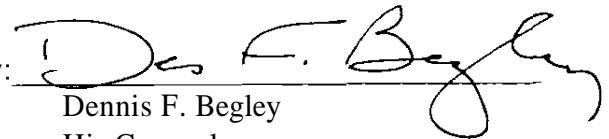
VERNON R. BALDWIN, INC.

By: 
Dennis F. Begley,
Its Counsel

MORGAN COUNTY INDUSTRIES, INC.

By: 
Dennis F. Begley,
Its Counsel

VERNON R. BALDWIN

By: 
Dennis F. Begley
His Counsel

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2175 K Street, N.W., Suite 350
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December 23, 2002

PROPOSED RULEMAKING
Vernon R. Baldwin, Inc.
Morgan County Industries, Inc.
December 2002

This Technical Exhibit supports the joint Proposed Rulemaking by Vernon R. Baldwin, Inc., licensee of WWLT (FM) at Manchester, Kentucky, Morgan County Industries, Inc., licensee of WLKS-FM at West Liberty, Kentucky.

This proposal allows a Class A to Class C3 upgrade for WLKS-FM and eliminates the 3 kW Class A restriction for WWLT (FM) and the Channel 275A allotment at Mount Vernon, Kentucky.

WWLT (FM) at Manchester, Kentucky operates on Channel 276A with a grandfathered power restriction of 3 kW. It is proposed to substitute Channel 244A with full Class A power of 6 kW. The open allocation at Mount Vernon, Kentucky on Channel 275A has the same power restriction of 3 kW. This allocation can move to Channel 276A with no restriction of power. WLKS-FM at West Liberty, Kentucky is proposing to upgrade from Channel 275A to 275C3.

In order to effectuate these changes it is proposed to substitute Channel 236A for the unused allocation on Channel 244A at Annville, Kentucky and order WWLT (FM) to Channel 244A. It is then proposed to substitute Channel 276A for the unused allocation at Mount Vernon, Kentucky on Channel 275A and order WLKS-FM, West Liberty, Kentucky to Channel 275C3.

PROPOSAL

<u>Community</u>	<u>Present</u>	<u>Proposed</u>	<u>Allocation Site</u>
Annville	244A	236A	N 37-20-28 W 83-50-07
WWLT (FM) - Manchester	276A (3 kW), 289C3	244A (6 kW), 289C3	N 37-14-40 W 83-52-52
Mount Vernon	275A (3 kW)	276A (6 kW)	N 37-18-14 W84-13-12
WLKS-FM – West Liberty	275A	275C3	Licensed Site

Each of the allocation site reference points are fully spaced under Section 73.207. From each of the proposed reference sites, a 70 dBu or greater signal will be provided to 100% of its community of license. We have attached a tabulated allocation study for each of the channels and maps showing the proposed facility operating at maximum height and power for its respective class. These 70 dBu contours assume uniform terrain.

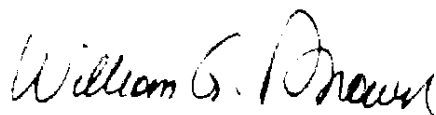
Benefits of This Proposal

Presently there are two fully spaced Class A stations and two Class A stations operating under the former 3 kilowatt spacing tables. With this proposal, there will be three 6 kilowatt Class A stations, no 3 kilowatt Class A stations, plus a Class C3 station.

2000 Population Data' Community	Present	Within 60 dBu Proposed	Gain/(Loss)
Annville	69,125	44,433	(24,629)
WWLT (FM) – Manchester	53,139	65,548	12,409
Mount Vernon	52,835	64,772	11,937
WLKS-FM – West Liberty	<u>47,789</u>	<u>81,799</u>	<u>34,010</u>
	222,888	256,552	33,664

Upon a grant of this request, both Vernon R. Baldwin, Inc. and Morgan County Industries, Inc. will timely file any necessary applications to effectuate the changes.

All information contained herein is thought to be true and accurate to the knowledge of the undersigned



William G. Brown
Bromo Communications, Inc.

December 18, 2002

¹ Population Data assumes 2000 US Census and the 60 dBu contours calculated with each facility operating at maximum class height and power

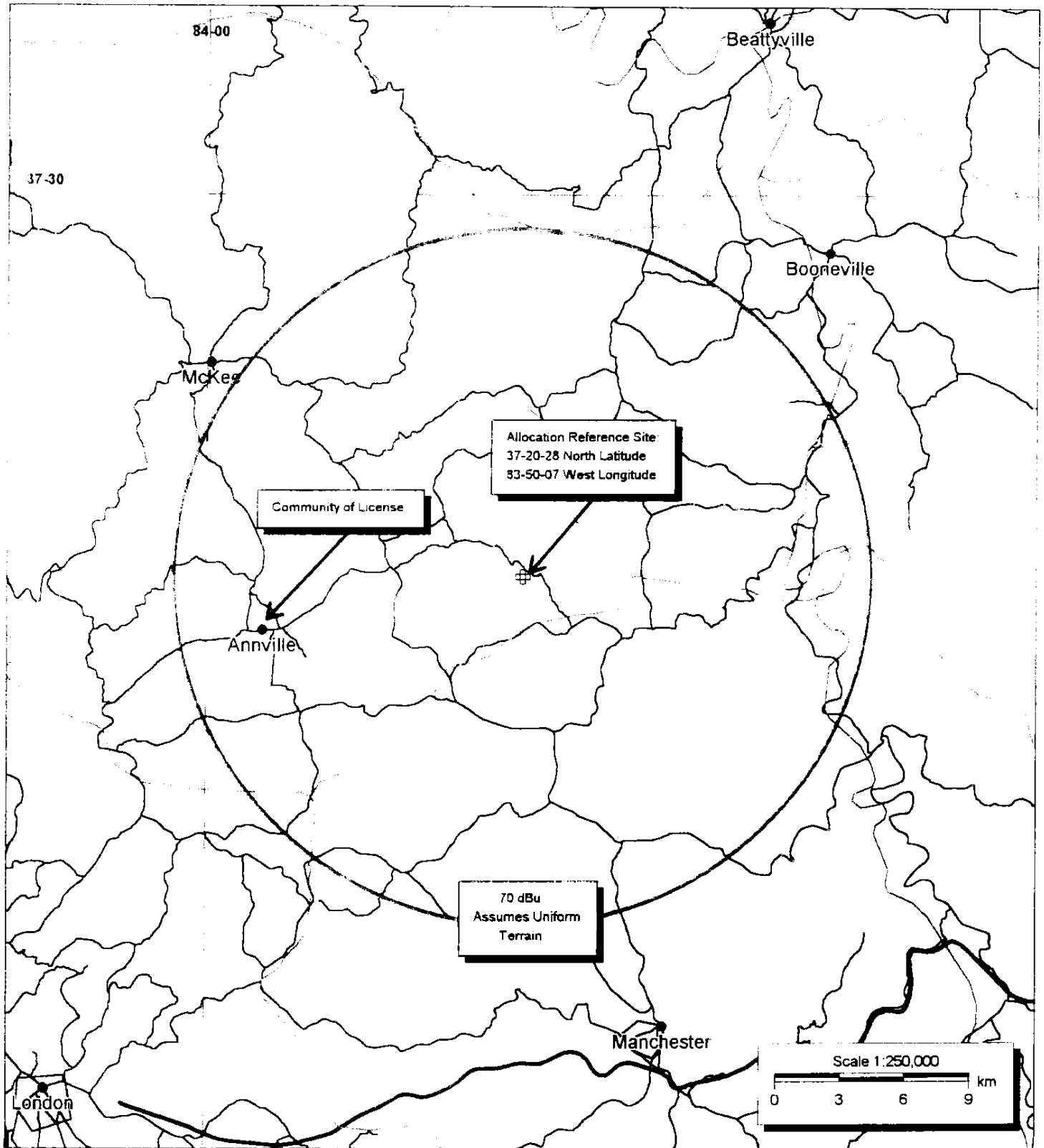


EXHIBIT #1
Allocation Study Channel 236A
Annville, Kentucky

Bromo Communications, Inc.
Atlanta, Georgia
December 2002

BROMO COMMUNICATIONS, INC.
Atlanta, Georgia

searching from Allocation Reference
Annville, Kentucky

REFERENCE
37 20 28 N
83 50 07 W

CLASS = A
Current Spacings

DISPLAY DATES
DATA 12-11-02
SEARCH 12-13-02

Channel 236 - 95.1 MHz

call	Channel	Location	Dist	Az	FCC	Margin
RADD	ADD 235A	Brodhead	KY 59.74	282.6	71.5	-11.76
WGGC	LIC 236C0	Glasgow	KY 214.53	257.8	214.5	0.03
WGGC.C	CP 236C0	Glasgow	KY 214.53	257.8	214.5	0.03
WFLEFM	LIC 236A	Flemingsburg	KY 120.96	10.7	114.5	6.46
WQHY	LIC 238C	Prestonsburg	KY 103.16	67.2	94.5	8.66
WQHY.C	CP 238C	Prestonsburg	KY 103.20	67.0	94.5	8.70
WAEZ	LIC-D 235C	Greeneville	TN 173.66	143.7	164.5	9.16
WTBK.C	CP -N 289C3	Manchester	KY 22.48	160.9	11.5	10.98
WTBK	LIC 289A	Manchester	KY 22.53	161.0	9.5	13.03
WVRB	LIC-D 237A	wilmore	KY 92.98	318.0	71.5	21.48
WMXL	LIC-N 233C1	Lexington	KY 102.04	328.6	74.5	27.54
WKLWFM	LIC 234C3	Paintsville	KY 104.35	60.7	41.5	62.85
WFC	LIC 237A	Clinton	TN 141.76	186.8	71.5	70.26
WHAY	LIC 290A	Whitley City	KY 87.45	220.8	9.5	77.95
ALLO	VAC 290A	Burgin	KY 91.84	304.9	9.5	82.34

Note: Spacings rounded by 0.5 kilometers

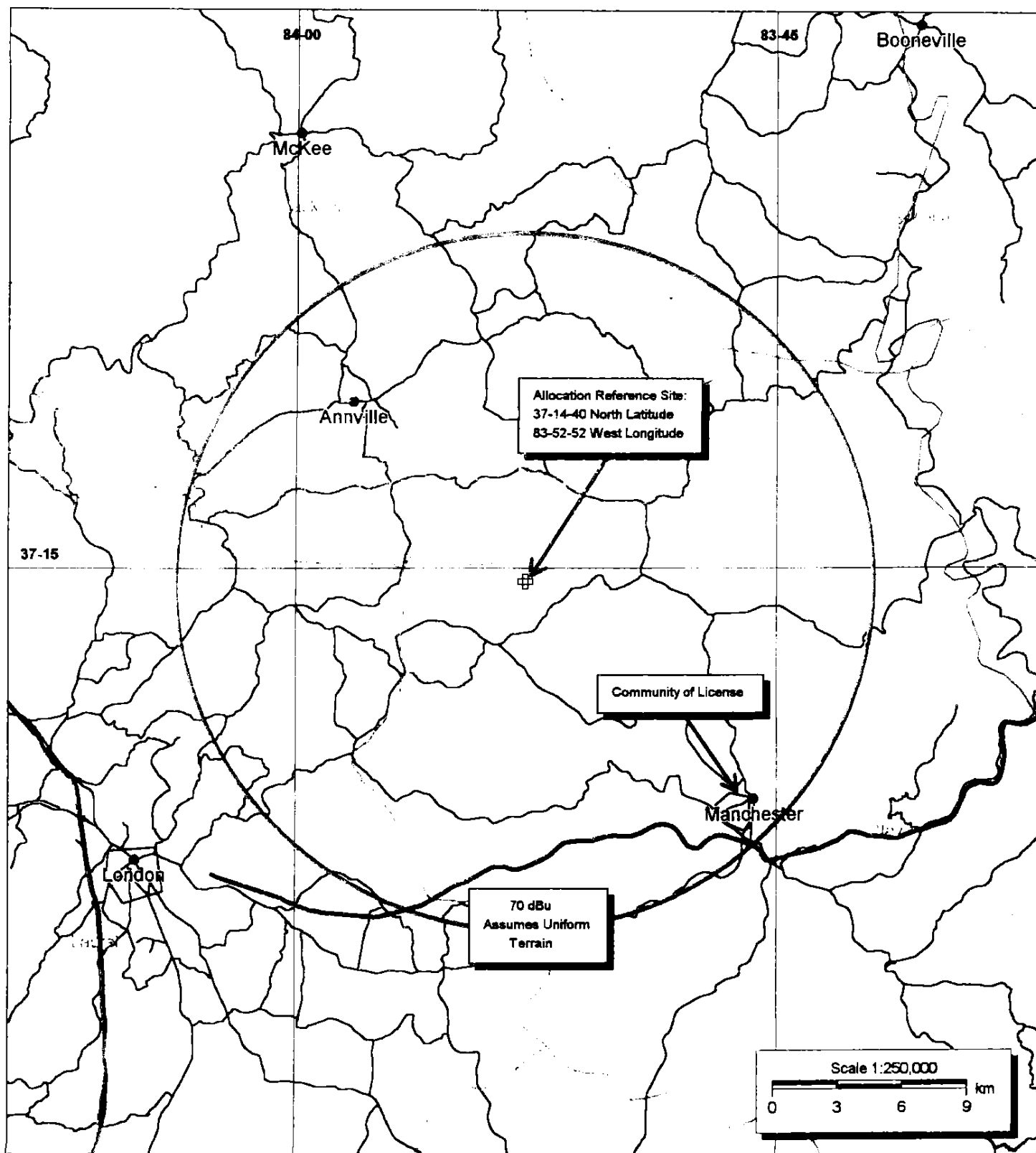


EXHIBIT #2
Allocation Study Channel 244A
Manchester, Kentucky

Bromo Communications, Inc.
Atlanta, Georgia
December 2002

BROMO COMMUNICATIONS, INC.
Atlanta, Georgia

searching from Allocation Reference
Manchester, Kentucky

REFERENCE
37 14 40 N
83 52 52 W

CLASS = A
Current Spacings

DISPLAY DATES
DATA 12-11-02
SEARCH 12-13-02

----- channel 244 - 96.7 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
*ALLO	VAC 244A	Annville	KY 1.06	265.0	115.0	-113.94
WKKQ	LIC-N 241C3	Barbourville	KY 42.11	182.1	42.0	0.11
WGKS	LIC 245C2	Paris	KY 106.29	337.2	106.0	0.29
RADD	ADD 244A	Lake city	TN 119.70	195.0	115.0	4.70
WXJB	LIC-Z 243A	Harrogate	TN 78.63	159.9	72.0	6.63
WJSNFM	CP 247C2	Jackson	KY 63.40	41.3	55.0	8.40
ALLO	RSV 247C2	Jackson	KY 63.40	41.3	55.0	8.40
WSEK	LIC 246C2	Somerset	KY 68.73	242.9	55.0	13.73
WXBQFM	LIC-D 245C	Bristol	TN 179.80	119.6	165.0	14.80
WCTTFM	LIC 297C2	Corbin	KY 41.94	205.2	15.0	26.94
WXCC	LIC 2438	Williamson	WV 150.21	71.1	113.0	37.21
WTHX	LIC 244A	Bardstown	KY 155.55	294.8	115.0	40.55
WRLVFM	LIC 247C3	salyersville	KY 92.00	51.4	42.0	50.00
WBVRFM	CP -N 244C2	Auburn	KY 216.12	258.8	166.0	50.12
WXKYFM	APP 242C3	Stanford	KY 92.92	289.9	42.0	50.92
WXKYFM	APP 242C3	stanford	KY 92.92	289.9	42.0	50.92
WXKYFM	LIC 242C3	stanford	KY 92.92	289.9	42.0	50.92
WIKO	LIC 242A	Morehead	KY 110.84	19.9	31.0	79.84
WKOVM	LIC 24481	Wellston	OH 227.83	29.1	143.0	84.83

*Proposed to substitute Channel 236A for the Allocation on Channel 244A at Annville, Kentucky.

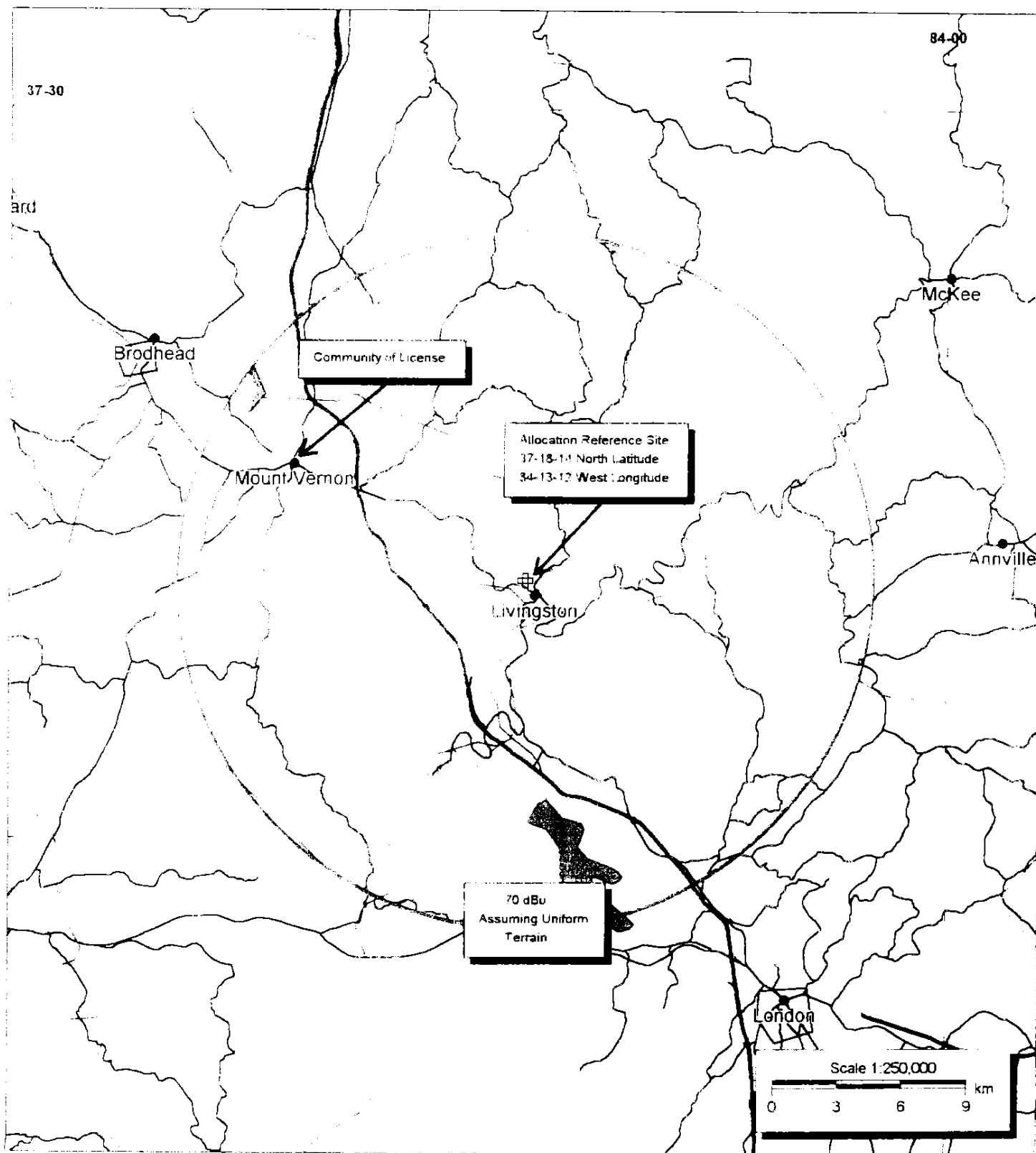


EXHIBIT #3
Allocation Study Channel 276A
Mount Vernon, Kentucky

Bromo Communications, Inc.
Atlanta, Georgia
December 2002

BROMO COMMUNICATIONS, INC.
Atlanta, Georgia

Searching from Allocation Reference
Mount Vernon, Kentucky

REFERENCE
37 18 14 N
84 13 12 W

CLASS = A
Current Spacings

DISPLAY DATES
DATA 12-11-02
SEARCH 12-13-02

----- Channel 276 - 103.1 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
RADD	ADD 276A	East Bernstadt	KY 20.51	156.3	115.0	-94.49
*WWLT	LIC 276A	Manchester	KY 43.63	125.6	115.0	-71.37
RDEL	DEL 276A	Manchester	KY 43.63	125.6	115.0	-71.37
RDEL	DEL 275A	Mount Vernon	KY 21.27	297.3	72.0	-50.73
#DWXJJ	CP 275A	Mount Vernon	KY 21.27	297.3	72.0	-50.73
WGRKFM	LIC 276A	Greensburg	KY 115.03	267.9	115.0	0.03
WGE	LIC 222C3	London	KY 26.44	130.2	12.0	14.44
WXZZ.C	CP 277A	Georgetown	KY 87.75	344.6	72.0	15.75
WXZZ	LIC 277A	Georgetown	KY 87.75	344.6	72.0	15.75
RADD	ADD 275C3	West Liberty	KY 112.63	43.3	89.0	23.63
WLTO	LIC 273A	Nicholasville	KY 63.70	336.9	31.0	32.70
WPKEFM	LIC-D 276A	Coal Run	KY 148.89	82.5	115.0	33.89
ALLO	RSV 276A	Coal Run	KY 151.98	85.5	115.0	36.98
WEKX	LIC 274A	Jellico	TN 68.01	179.1	31.0	37.01
%WLKSF	LIC 275A	West Liberty	KY 112.63	43.3	72.0	40.63
RDEL	DEL 275A	west Liberty	KY 112.63	43.3	72.0	40.63
WIMZFM	LIC 278C	Knoxville	TN 137.05	161.1	95.0	42.05
WLLJ	LIC 276C2	Etowah	TN 209.06	191.4	166.0	43.06
WLTO.C	CP -N 273A	Nicholasville	KY 78.30	338.7	31.0	47.30
WCBJ	LIC 279A	Campton	KY 79.08	60.5	31.0	48.08
WRKA	LIC-Z 276A	St. Matthews	KY 168.50	310.0	115.0	53.50
WRAC	LIC 276A	West Union	OH 180.54	16.9	115.0	65.54
WAKYFM	LIC 274A	Springfield	KY 106.39	294.5	31.0	75.39
WAKYFM	CP -N 274A	Springfield	KY 106.39	294.5	31.0	75.39
WIKQ	LIC 276A	Tusculum	TN 192.74	132.3	115.0	77.74
WKEDFM	LIC 279A	Frankfort	KY 118.80	329.3	31.0	87.80
WTCRFM	LIC 277B	Huntington	WV 202.34	51.6	113.0	89.34

* Proposed to re-allot WWLT, channel 276A, Manchester, Kentucky to Channel 244A.

The construction Permit for WXJJ, channel 275A, Mount Vernon, Kentucky has been cancelled. This is now a vacant allocation. This proposal substitutes Channel 276A for this vacant allocation.

% Proposed to re-allot WLKS-FM, Channel 275A, West Liberty, Kentucky to channel 275C3.